

# Exhibit 2

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## **DECLARATION NO 4. OF MICHAEL ERWINE**

I, Michael Erwine declare that the assertions in this Declaration are true and correct, based upon my personal knowledge, and that I am competent to testify to the facts stated below:

1. I am the Plaintiff in the lawsuit Michael Erwine v. Churchill County and Churchill County Sheriff Benjamin Trotter currently pending before the Federal District Court in Northern Nevada;
2. Near the end of my shift on October 10, 2016, I was asked to meet with Captain Matheson and Sheriff Trotter. I was not told what the meeting was about;
3. When the meeting began Sheriff Trotter informed me that he was aware of the booking that took place over the weekend with Andrew Beaulieu and that I was trying to harm the Department;
4. I began to speak about the Beaulieu incident as I had originally intended to do from the beginning of my shift that day, however, I was denied any opportunity to explain what I had witnessed or discovered;
5. Sheriff Trotter interrupted me and explained that I had two choices: I could resign, or he would terminate my employment effective immediately. Either way, I was informed that my employment was not continuing after the current meeting. I was not given any time to think about whether to resign;
6. Trotter placed a document in front of me to sign and explained that if I resigned instead of being fired, I would receive pay out of my leave balance. I was not shown any other documents and I had no idea that Trotter had conducted any kind of investigation into the incident with Mr. Beaulieu;
7. I asked what would happen if I did not sign the document and Trotter said that I would be fired and not receive nothing;

8. This occurred a few weeks after I had my nine-month evaluation, which was positive. I was shocked that I was being fired for witnessing what occurred with Mr. Beaulieu because it was clear to me that he was mistreated by the other deputies at Churchill County;

9. I had not used any of my accrued leave time, so it was a significant amount of money to me at that time;

10. I had moved to Churchill County for my job at the Churchill County Sheriff's Office and entered into a one-year lease on February 12, 2016; and

11. I signed the letter resigning my employment on October 10, 2016 because I was deeply concerned about the effect a termination would have on my career, as my job at Churchill County was my first post police academy job, and I really needed the money from my accrued leave.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: 4/26/21 In Reno, Nevada

By: 

Michael Erwine